

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

PEDRO and CELIA BANUELOS and  
MICHELLE and TRAYVASS GALLANT,

Plaintiffs,

v.

AMERIQUEST MORTGAGE COMPANY,  
AMERIQUEST CAPITAL CORPORATION,  
ACC CAPITAL HOLDINGS, INC.,  
AMERIQUEST MORTGAGE SECURITIES, INC.,  
DEUTSCHE BANK NATIONAL TRUST  
COMPANY and AMERIQUEST MORTGAGE  
SECURITIES, INC., ASSET BACKED PASS-  
THROUGH CERTIFICATES, SERIES 2005-R7,

Defendants.

No. 08 C 2680

Judge Virginia M. Kendall

**DEFENDANTS' (AGREED) MOTION FOR EXTENSION OF TIME TO FILE  
RESPONSIVE PLEADINGS TO PLAINTIFFS' COMPLAINT**

Defendants Ameriquest Mortgage Company, Ameriquest Capital Corporation, ACC Capital Holdings, Inc., Ameriquest Mortgage Securities, Inc., and Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities, Inc., Asset Backed Pass-Through Certificates, Series 2005-R7 ("Defendants"), by their attorneys, move, with the agreement of Plaintiffs, for an extension of time to file their responsive pleadings to Plaintiffs' complaint. In support of their motion, Defendants state as follows:

1. There is pending in the U.S. District Court for the Northern District of Illinois the MDL litigation, In re Ameriquest Mortgage Co., Mortgage Lending Practices Litigation, MDL Docket No. 1715, Lead Case No. 05 C 7097 (Aspen, J.) ("Ameriquest MDL Litigation"). The Ameriquest MDL Litigation includes challenges to loans originated by Ameriquest Mortgage Company.

2. Previously, on May 23, 2008, Defendants filed their motion for reassignment of related action, requesting the reassignment of this lawsuit to the Amerquest MDL Litigation. Plaintiffs agree to this reassignment. The parties fully expect Judge Aspen to grant Defendants' motion for reassignment. Judge Aspen has reassigned hundreds of other lawsuits to the Amerquest MDL Litigation similarly challenging Amerquest Mortgage Company-originated loans.

3. Accordingly, Defendants request a 30-day extension of time (after Judge Aspen rules on Defendants' pending motion for reassignment) to file their responsive pleadings to Plaintiffs' complaint (presumably, within the Amerquest MDL Litigation). Plaintiffs agree to this present request.

**WHEREFORE**, Defendants Amerquest Mortgage Company, Amerquest Capital Corporation, ACC Capital Holdings, Inc., Amerquest Mortgage Securities, Inc., and Deutsche Bank National Trust Company, as Trustee for Amerquest Mortgage Securities, Inc., Asset Backed Pass-Through Certificates, Series 2005-R7, respectfully request a 30-day extension of time (after Judge Aspen rules on Defendants' pending motion for reassignment), to file their responsive pleadings to Plaintiffs' complaint.

Dated: July 1, 2008

AMERIQUEST MORTGAGE COMPANY,  
AMERIQUEST CAPITAL CORPORATION,  
ACC CAPITAL HOLDINGS, INC.,  
AMERIQUEST MORTGAGE SECURITIES, INC.,  
and DEUTSCHE BANK NATIONAL TRUST  
COMPANY, as Trustee for AMERIQUEST  
MORTGAGE SECURITIES, INC., ASSET  
BACKED PASS-THROUGH CERTIFICATES,  
SERIES 2005-R7, Defendants

By: s/ Jonathan N. Ledsky  
One of their Attorneys

Craig A. Varga  
Jonathan N. Ledsky  
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**CERTIFICATE OF SERVICE**

I, Jonathan N. Ledsky, an attorney, hereby certify that a true and correct copy of the foregoing **Defendants' (Agreed) Motion for Extension of Time to File Responsive Pleadings to Plaintiffs' Complaint** was served electronically via CM/ECF e-Filing upon:

**Anthony P. Valach, Jr. ([anthonyvalach@sbcglobal.net](mailto:anthonyvalach@sbcglobal.net))**

**Daniel Mark Harris ([lawofficedh@yahoo.com](mailto:lawofficedh@yahoo.com))**

this 1st day of July, 2008.

s/Jonathan N. Ledsky\_\_\_\_\_